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RUEHBY/AMEMBASSY CANBERRA PRIORITY 0364

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C O N F I D E N T I A L SECTION 01 OF 03 BANGKOK 000227

SIPDIS

STATE FOR EAP/MLS, NSC FOR WALTON

E.O. 12958: DECL: 01/27/2020

TAGS: PREL PGOV TH

SUBJECT: THAILAND: DEMOCRATS OPPOSE CHARTER CHANGES

PROPOSED BY COALITION PARTNERS

REF: A. BANGKOK 0061 (ABHISIT TAKES A STAND)

¶B. 09 BANGKOK 02459 (CHARTER CHANGE ONE STEP CLOSER)

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Classified By: DCM JAMES F. ENTWISTLE, REASON 1.4 (B) AND (D)

¶1. (U) Summary: The Democrat Party MP caucus voted on January 26 to oppose the proposal by the five junior members of the governing coalition to amend the constitution. The coalition partners had proposed altering the articles dealing with the parliamentary electoral system (Article 94) and parliamentary oversight of international agreements (Article 190); the former would change from multiple seat parliamentary districts back to single seat districts, seen as more advantageous to the smaller parties; the latter would address the need for parliamentary approval for any agreement construed as even remotely "international" in nature, a major day-to-day programmatic obstacle for USG activities in Thailand. In the wake of the Democrat decision, the junior partners led by Chat Thai Pattana still planned to introduce the amendments in the House the week of February 1.

¶2. (C) Comment: The Democrat party's decision to snub its nose at its coalition allies for the second time in a month (REF A) represented a gamble of sorts, given the expected upcoming no confidence debate in parliament. PM Abhisit -- who spoke against the shift in electoral districts while endorsing the need to amend Article 190 -- and the Democrats seem to have calculated that their coalition partners would not jeopardize the future of the government over the amendment initiative; our soundings among coalition allies would suggest that the calculation may prove an accurate one.

The party's willingness to publicly break with the coalition yet again underscored Abhisit's newfound resolve and growing confidence. Now the Democrats have called the coalition's collective bluff, and they will soon find out if it was worth the political risk. End Summary and Comment.

DEMOCRATS JUST SAY NO

¶3. (U) In a closed-door meeting on January 26, Democrat Party parliamentarians voted 82 to 48 to oppose amending the constitution as proposed by the five smaller parties that comprise the governing coalition. Democrats had publicly voiced support for adjustments to Article 190; the party was

divided over Article 94, however. The decision came after days of internal Democrat Party debate, including a last-ditch effort from Deputy Prime Minister and Democrat Secretary-General Suthep Thaugsuban to convince MPs to support the proposal in the name of coalition unity. Suthep, according to media reports, feared a failure to accede to the proposal could jeopardize the government's ability to fend off a Puea Thai-sponsored no-confidence motion. After the internal party vote, PM Abhisit publicly vowed to stand firm and said he would not dissolve parliament.

¶4. (C) The Democrat party's coalition partners, as expected, expressed disappointment in the Democrat Party decision. Phumjai Thai (PJT) leader and Interior Minister Chaovarat Chanvirakul had publicly warned in advance of the Democrat party vote that a decision to oppose the amendments could strain relations with coalition partners. Immediately after hearing of the Democrat Party decision, Chaovarat told the Ambassador that he did not understand why Abhisit would want to "pull apart the string holding the coalition together," adding that: "there are neither permanent friends nor permanent enemies in politics." In subsequent comments to the media, he backed away from this hard line position somewhat and appeared to suggest the decision would not impact the coalition. Chart Thai Pattana (CTP) leader Banharn Silpa-archa, on the other hand, who initiated the charter change push, sang a disappointed public tune, and vowed that his party still intended to introduce the amendments in parliament.

WHILE ABHISIT STIFFENS HIS SPINE...

¶5. (C) The conventional political wisdom in Bangkok prior to
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the Democrat Party's January 26 meeting was that Abhisit and the party could not afford to alienate the coalition partners at this time. With the opposition Puea Thai promising a no-confidence debate in February, the argument went, the Democrats would have to accede to junior partner demands to maintain coalition unity and prevent the dissolution of the parliament.

¶6. (C) As with the decision to force the resignation of Deputy Health Minister Manit Nopamornbodi from the PJT earlier this month (REF A), however, Abhisit probably calculated that coalition partners such as PJT preferred their current situation to house dissolution and new elections. Puea Phaendin MP from Surin Satit Tepwongsirirut conceded as much January 26 on the eve of the Democrat party vote, telling us that the Democrat Party could do what they wanted because none of the coalition partners wanted new elections. Supachai Jaisamut, PJT MP and spokesman and a close associate of PJT de facto leader Newin Chidchob, told us January 27 that while the Democrat decision "hurt their hearts," cold-eyed calculation of interests meant the coalition should hold; PJT and the Democrats favored elections late in 2011 close to a full term, he asserted.

¶7. (C) The vote also served as a reminder that the Democrat Party, perhaps alone among Thai parties, has internal democratic deliberations in its parliamentary caucus, not simply top-down decisions by party leaders. Analysts in the past have suggested there were three main factions in the party, with party advisor and former Prime Minister Chuan Leekpai leading one, Abhisit's predecessor as party leader Banyat Bantadtan heading another, and finally DPM Suthep's faction representing the third. The vote seems to have pitted the first two factions against the latter; PJT's Supachai told us that Banyat and Suthep have been at loggerheads for years, and Chuan wanted his voice to be heard.

¶8. (C) Abhisit's decision to go against Suthep's recommendation, coming on the heels of his decision to force

Manit to resign, served as yet another indication that he is coming into his own as PM after an occasionally rocky 2009 in which he rarely challenged Suthep's recommendations or coalition party interests.

...POTENTIAL FOR BACKLASH REMAINS

¶9. (SBU) Despite public hints at resignation to the situation, junior coalition partners are not without means to retaliate. As already suggested, smaller parties could still vote against the Abhisit and the Democrats in the upcoming no-confidence debate. Chumpol Silpa-archa, brother of CPT strongman Banharn, and PJT's Chaovarat both insisted publicly that the Democrat Party decision would not affect the government stability. Chaovarat hinted, however, that his party might allow its MPs to vote freely during the no-confidence debate.

WHAT'S ALL THE FUSS ABOUT?

¶10. (U) The five junior coalition partners proposed to modify two articles of the constitution, scaled down from the original six agreed upon by a multi-partisan group in September 2009 (REF B). The main sticking point was altering Article 94, which under the current charter established multi-seat constituencies for parliamentary elections.

Smaller parties argued that this system favors larger and better financed parties such as the Democrat Party (and Puea Thai). The proposed single-seat constituency would benefit smaller parties by allowing them to concentrate efforts and funds in areas where they are strong. Opponents to the change--including Chuan and yellow-shirt activists--contended that such a system in the Thai political context facilitates vote-buying and corruption.

¶11. (C) Article 190 -- which specifies parliamentary approval for all international agreements -- appeared to be a minor

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factor in the debate, but holds great importance for the United States and other countries in their relationships with Thailand. Project renewals have languished at Thai government agencies while the PM's office has grappled with the implications of Article 190 as presently written, including some opportunities for law enforcement cooperation.

Abhisit has publicly stated his support for amending Article 190, and Democrat Party members have suggested the party is amenable to change. The coalition proposal grouped the two proposed amendments into a single package.

¶12. (C) The way forward remains unclear. Supachai suggested to us January 27 that the coalition parties would still table the resolution in the coming days but not push it for a vote immediately. The strategy would be to bring the Democrats around in time to the view that the best way to ensure that the current configuration could return to office after the next election cycle, with the Democrats achieving a plurality over Puea Thai, would be to switch to single member constituencies and facilitate PJT taking enough seats away from Puea Thai in Isaan to leave the Democrats on top. Such electoral math remains fuzzy, however, and much could happen in Thai politics before then.

JOHN